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Page 1 of:

Suite 1500, Box 111 Toronto, Canada M5G 2K8

Attention:

From-

Commissioner for Patents

Tel.: (416) 593-5514

From:

Matthew Zischka

Fax: (416) 591-1690

Your file no.:

Date:

November 6, 2006

Patent S.N. 09/825,412; Art Unit: 2143

Time:

Reply to Toronto file no.;

92027-5

Attn: Joseph E. AVELLINO, Examiner

Transmitted herewith are:

(√) Transmittal Form PTO/SB/21

(√) Response to Notification of Non-Compliant Appeal Brief

#### RE: APPLICATION

APPLICANT:

Grant HOOD et al.

SERIAL NO.:

09/825,412 April 3, 2001

FILED ON: OUR FILE:

92027-5

DUE:

November 6, 2006

TITLE:

Methods and Devices for Providing Pooled Personal Introduction Services

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T-028 P.002/004 F-593

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PTO/SB/21 (09-04)
Approved for use through 07/31/2008. OMB 0851-0031
U.S. Petern and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a action of information unless it displays a valid OMB control number. Application Number 09/825.412 TRANSMITTAL Filing Date April 3, 2001 First Named Inventor FORM Grant HOOD Art Unit 2143 Examiner Name Joseph E. AVELLINO (to be used for all correspondence after initial filing) Attorney Docket Number 071235,0113 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Amendment/Reply (Appeal Notice, Eriof, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please identify Terminal Disclaimer Extension of Time Request Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) The Commissioner is hereby authorized to charge payment of the following fees associated with Reply to Missing Parts/ this communication or credit any overpayment to Deposit Account No. 19-2548. Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name SMART & BIGGAR Signature Printed name Matthew Zigchka Oate Reg. No. November 6, 2006 41.575 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first classimal in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date Matthew Zischka November 6, 2006 Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, prepering, and submitting the completed application form to the USPTO. Time will very depending upon the individual case, Any comments on the amount of time you require to complete this form another suggestions for roducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradament Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE HONORABLE BOARD OF PATENT APPEALS

In re the application of: Group Art Unit: 2143 Grant HOOD et al. Examiner: Joseph E. AVELLINO Application No: 09/825,412 Attorney Docket: 071235.0113 Filed: April 3, 2001 For: Methods and Devices Certificate of Transmission For Providing Pooled I hereby certify that this correspondence is being Personal Introduction facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273 on Nevember 6, 2006 Services (571) 273-8300 Signaturo <u>Matthew Zischka</u> Typod or printed name of person signing this certificate

#### RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

The Assistant Commissioner of Patents Washington, D.C. 20231 U.S.A.

Dear Sir or Madam:

This is in response to the Notification of Non-Compliant Appeal Brief mailed October 5, 2006. A Supplemental Appellant's Brief Under 37 CFR 1.192 was submitted on October 16, 2006 in responsive to an earlier Notification of Non-Compliant Appeal Brief malled September 15, 2006.

Nov-06-06 04:18pm From-

T-028 P.004/004 F-593

Application No. 09/825,412

Group Art Unit: 2143

- 2 -

It is believed that this Supplemental Appellant's Brief addresses the decision of Non-Compliant Appeal Brief mailed October 5, 2006.

Respectfully submitted,

Ву

Matthew Zischka Registration No. 41,575

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November 6, 2006 92027-5 MZ/jkk